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REMARKS

This amendment is responsive to the official action dated July 9, 2003.

Claims 1-28 were pending in the application. Claims 1-28 were rejected. No claims were allowed by the Examiner.

By way of this amendment, the Applicant has amended Claims 9, 18, 24, 25 and 28. Claims 1-8, 10-17, 19-23 and 26-67 remain unchanged.

Accordingly, Claims 1-28 are currently pending.

I. Claim Objections

Claim 9 was objected to as being in improper dependent form for failing to further limit the subject matter of a previous claim. Claim 9 originally depended from identically worded Claim 8. The Applicant has now amended Claim 9 to properly depend from Claim 7, thereby placing Claim 9 in proper dependent form. Withdrawal of this objection is requested.

II. Rejection of Claims under 35 USC §112

Claims 24 and 25-28 were rejected under 35 USC §112, second paragraph as being indefinite. The Applicant has reviewed the wording in the rejected claims and has amended these claims to clearly identify the relationship between the first and second photopolymer film layers, the protective sheet and the adhesive layer.

The Examiner has also rejected Claim 25 as being confusing or incorrect in depending from Claim 21 and also reciting an adhesive layer as already identified in Claim 21. However, Claim 25 does not depend from Claim 21. Claim 25 depends from Claim 19 which does not include an adhesive layer. In view of these remarks and the amendments made to the claims, Applicant requests withdrawal of this rejection.

III. Rejection of Claims under 35 USC §102(a)

Claims 26-28 were rejected under 35 USC §102(a) as being anticipated by US Patent No. 6,512,607, issued to Windsor et al., filed on November 27, 2000. The Examiner stated that the Windsor patent was filed "prior to the invention thereof by the Applicant" and therefore renders the present invention unpatentable.

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The Applicant respectfully traverses the §102(a) rejection on the grounds that the invention of the present Application was conceived in its final form and fully reduced to practice prior to November 27, 2000. The Applicant asserts that the present invention was actually conceived as early as June 15th, 2000 as documents in the inventor's original notes and was fully reduced to practice by at least October 19th, 2000 when all of the documentation regarding the invention was delivered to the Applicant's US patent attorney's office for preparation and filing of a provisional application for patent. Enclosed for entry into the file are Rule 132 affidavits of the Applicant and Applicant's US Patent Counsel. The Applicant's affidavit details the research and development efforts that took place on the invention and clearly identifies that the invention was reduced to practice as early as July 2000 and was clearly in its final form prior to November 2000. Patent Counsel's affidavit details correspondence exchanged in October 2000, in requesting a patentability search regarding the invention, clearly identifying that the concept was in its final form for preparation of a provisional patent application by November of 2000. All of these events, with the exception of the actual filing of the provisional occurred prior to the application date of the Windsor patent.

Based on the enclosed Rule 132 affidavits, the Applicant submits that the Windsor patent is no longer available as prior art.

Reconsideration and withdrawal of the rejection is respectfully solicited.

IV. Rejection of Claims under 35 USC §103(a)

Claims 3-5, 8, 9 and 19 were rejected as being unpatentable under §103(a) as being obvious over Windsor et al. In light of the Rule 132 affidavits described above and attached herewith, the primary reference relied upon under these rejections is no longer believed to be available. Withdrawal of these rejections is therefore respectfully solicited.

V. CONCLUSION

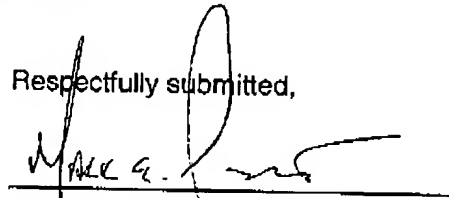
Accordingly, claims 1-28 are believed to be in condition for allowance and the application ready for issue.

Corresponding action is respectfully solicited.

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PTO is authorized to charge any additional fees incurred as a result of the filing hereof or credit any overpayment to our account #02-0900.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark E. Tetreault', is written over a horizontal line.

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